

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

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CENTURY 21 REAL ESTATE CORPORATION)	
)	
Plaintiff,)	
)	CIVIL ACTION NO. 04-10785DPW
v.)	
)	
DENNEHY, BARNES, VENTURES, INC.,)	
JOHN S. DENNEHY and THOMAS BARNES,)	
)	
Defendants.)	
_____)	

Plaintiff Century 21 Real Estate Corporation and Defendants Dennehy Barnes, Ventures, Inc. and Thomas Barnes jointly move to extend the discovery period for an additional 60 days and amend the Scheduling Order accordingly. In support of their motion, the parties state as follows:

1. On June 24, 2004, this Court entered a Scheduling Order that required the parties to conclude discovery by December 31, 2004. The Court further scheduled a scheduling/status conference for February 15, 2005.
2. Since entry of the Scheduling Order the parties have been unable to complete all discovery in this matter.
3. The parties seek a brief extension of the discovery to schedule to complete all discovery in this matter.
4. Based on the foregoing, the parties respectfully request that the Court amend the Scheduling Order currently in place and extend the deadlines for a period of 60 days in order to

allow the parties to complete discovery in this matter and also to attempt to reach a mutually-agreeable settlement.

WHEREFORE, the parties jointly move that the Court extend all of the deadlines in this matter for 60 days in order to allow the parties to complete discovery and that the Scheduling Order be amended as follows:

February 28, 2005	Discovery deadline
March 31, 2005	Deadline for motions for summary judgment with oppositions due fourteen (14) days thereafter.
April 15, 2005	Scheduling/status conference.

Respectfully submitted,

<p>CENTURY 21 REAL ESTATE CORPORATION</p> <p>By its attorneys,</p> <p><u> /s/ G. Rubenstein </u></p> <p>Gregg A. Rubenstein (BBO #639680) Arthur L. Pressman (BBO #643094) NIXON PEABODY LLP 100 Summer Street Boston, Massachusetts 02110 (617) 345-1000</p>	<p>DENNEHY, BARNES, VENTURES, INC. and THOMAS BARNES</p> <p>By their attorneys,</p> <p><u> /s/ K. Small </u></p> <p>Kenneth D. Small (BBO #567868) Pamela Zorn (BBO #640800) SHERIN AND LODGEN LLP 101 Federal Street Boston, Massachusetts 02110 (617) 646-2000</p>
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